

A moving research method: two examples from screendance

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Our contribution to this special issue on dance and law follows on from a piece we published five years ago in *Law Text Culture* in a special issue on legal materiality (Jacob and Macdonald 2019; Kang and Kendall 2019). In that article, we outlined our early collaborative work in dance and law, which emerged from a frustration with the capacity of words to examine the physical and affective movement of law. Here, we reflect on how we have consolidated our collaborative practice and begin to articulate further our contribution to the now growing field of dance and law, screendance and law, and law and humanities research.

Our short intervention articulates our method with reference to two examples of dance-based research, made early on in our collaboration, titled *Walk (redaction)* (Macdonald 2016b) and *Singing in the rain (Fraudulent)* (Macdonald 2016a). Exploring these examples of practice allows us to articulate two main concerns in our work: how time gets folded into the relationship between dance and law, and the question of whether and how we can rely on the body.

As Moscati and Mulcahy (2025) outline in their introduction, interventions covering the relationships between law, movement and dance have multiplied in recent years, evidencing how dance studies knowledge can generate innovative work in socio-legal studies of authority, jurisprudence, and ethical issues. We propose that our work with moving research methods can at once sit firmly within dance/law

as ‘name and the semblance of a shape, form and manifesto’ (Moscati and Mulcahy 2025: XX) and help to advance and shift understandings within this moving field.

We could say that the question of where knowledge sits and a dissatisfaction with knowledge injustice motivate our work. Tackling one form of injustice – the dismissal of non-logocentric forms of knowledge – is one of the drivers that carries our whole work forward, this and the pleasure of working together. One of the lessons of our collaboration so far is that attention to a broader range of analytical, embodied interlocutors (people, objects, problems) increases attentiveness to the workings of social injustice in law (Grabham 2016).

We draw inspiration from research identifying dance as one way that the body generates new knowledge for others: dance can constitute a world beyond language and propositional thinking, and that world can speak back to politics and law (Vermeulen 2023). Dance is a valuable entry point for examining the embodied, material, and sensorial dimensions of law. As Klein and Noeth (2011) argue, categories that characterise dance such as ‘flow, rhythm, space, time, energy, and dynamics are also informing a legal order’ (referenced in Vermeulen 2023).

Within legal studies, the last decades have seen the crits movement, and feminist and postcolonial analyses (Mutua 2000; Davies 2011; Grabham 2016), effectively debunking some logocentric inclinations of law, such as privileging written form and formal language, ignoring lived experiences, and adopting a white male colonial and Eurocentric reason under the guise of neutral terminology. Legal scholarship’s engagement with new materialism has elicited inquiries into the embodied, felt sense of law (Kang 2018; Kang and Kendall 2019; Davies 2018), further acknowledging non-logocentric dimensions of law. As per Kang’s careful reminders, we find these inquiries more helpful when accompanied with careful ontological differentiation between matter, materiality and physicality, as well with the tracing of how exactly matters come to be felt as legally relevant (Kang 2018: 462).

1. Moving Research Methods

Our work began with a frustration that the growing body of research into the movement of law did not involve any actual bodies. Chadwick (2016), Spatz (2017), and Winter (2014) note the importance of the ‘turn to the body’ across arts and humanities research and yet the presence of embodied practice-as-research is minimal, and its value remains in question (Ellis 2018). In law, the turn to the body has concretised in perceptive analyses of the place of the body as an object and as an analytical category in certain domains, for example in healthcare law and criminal law (Hyde 1997; Fletcher et al. 2008; Dietz et al. 2020). Our goal became to conduct research engaged in ‘not only studying *the body* but also *through* the body *by means* of the body’ (Ophir 2016: 90, emphasis in original, as cited in Hammer 2020: 556). If we are to better understand the way legal processes move, then it makes sense to explore law with a moving research method.

In our work together, we use dance, not as an expression or representation of legal process, but as a research tool. Drawing on Macdonald’s work as a dance artist/scholar, the method we have been using is screendance, an artform combining dance and film. As a dance research method, screendance allows for an attention to the prosaic detail of pedestrian movements, such as the pen striking the page in writing, or how hands might move during a walk. Further, because of the tension between the liveness of the moving body and the inscribed permanence of film (Macdonald 2024), screendance draws particular attention to the temporality of movement. These capacities make it a useful method for problematising law’s physical incarnations in paperwork, forms, folders, technicalities and other lowly mechanisms (Valverde 2003; Jacob 2007; Riles 2005, 2016; Vissman 2008), allowing an animation of law in time and a focus on things. To us, the pedestrian movements of law and dance are objects of study and constitute modes of inquiry in themselves, as they help to trace and differentiate between the various components, structures and arrangements of different areas of law (Kang and Kendall 2019: 5). The idea is not to ascribe instrumental agency or power to certain physical things associated

with law, but to attend to the detail of how they come to matter: how they emerge, get attributed to law and mobilised as such.

Our inquiry involves a somatic attentiveness to movement between embodied entities (people or objects), and the generation of screendance works that combine movement and legal materials. Here, screendance is employed as an analytic tool, in order 'to reveal the affective consequences of legal process' (Jacob and Macdonald 2021). But Macdonald's movement does not displace Jacob's words and Jacob's writing does not caption the choreography. Macdonald reads and makes, Jacob writes and watches; we talk, we write, we perform, and the effort of articulating what we experience in the dance object/body is an essential part of our method. Words have embodied affect and movement articulates realities, and our back-and-forth allows us to theorise in, out and through practice.

Moving iteratively between action and word-based reflection is a common method within practice-as-research (Barrett and Bolt 2007), and not unique to dance and law. This approach also resonates with ethnographic methods, which form a significant part of Jacob's work as a socio-legal scholar. When we use the term ethnographic in relation to our collaborative research, we work with a specific understanding of ethnographic encounter; we subscribe to an ethnography that is perceptive to 'the analytical value of embodied, affective and experiential knowledge' (Culhane 2017: 6), and that is therefore aware of the limits of textual form as object of analysis and as mode of enunciation (Clifford and Marcus 1986 as cited in Culhane 2017: 6). In this sense we are influenced by a rich line of collaborative work between ethnographers and artists.

To share something of our process, we now discuss two pieces of dance-based practice-as-research made as part of our collaboration. The discussion reveals our method, and we reveal our method by doing it, after which we turn to an outline of the implications for dance and legal research.

2. *Walk (redaction) and Singing in the rain (fraudulent)*

The artworks we explore both focus on redaction and take the form of screendance. The first one, *Walk (redaction)* (Macdonald 2016b), forms part of the *Strikethrough Series* (Macdonald 2020). This series explores different forms of retraction and was made in response to Jacob's (2017) research on the strikethrough line in a body of a text found in disciplinary tribunal decisions. The second screendance is called *Singing in the rain (Fraudulent)* (Macdonald 2016a), and it engages with Jacob's (2013, 2016, 2017) work on legal typologies of research misconduct. Early versions of these films were part of an exhibition titled *Integrity* at Keele University in 2016 and they can be seen in full at <https://vimeo.com/168081575> and <https://vimeo.com/170149714>.



Figure 1 Walk (redaction) 17s



Figure 2 Walk (redaction) 43s

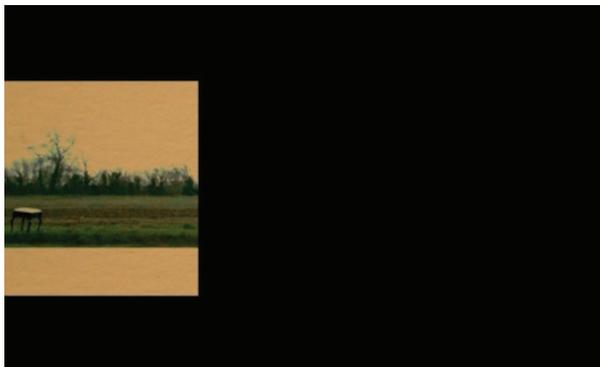


Figure 3 Walk (redaction) 59s

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In the *Strikethrough series*, the main method constituted the taking of legal forms of retraction already explored by Jacob and placing them onto the performer's moving body. *Walk (Strikethrough with pen)* (Macdonald 2016c) pays attention to the movement of the pen striking through text. *Walk (redaction)*, focuses on the distinctive temporal quality of digital redaction. In it, the artist walks ceremoniously across a field whilst a black digital shape, the same height as the image, moves from right to left towards her, eventually meeting and then covering her, erasing her walk entirely.

The redaction shape in this screendance moves from right to left. In the context of writing, the movement of the hand (when using a strikethrough line, black rectangular block, or even correction fluid) redacts in the same direction as the writing. For systems of writing that go from left to right (sinistrodextral), redaction may also go from left to right. With digital redaction it appears in a singular movement as if it happens all at once.

Yet before something is redacted it often must have been read or processed, as this reading or processing may be the justification for the decision to redact. This means that redaction, despite appearing on the page as something that is already there and has always been so, betrays a movement in time, a movement from left to right and then back.

In *Walk (redaction)*, the movement of the digital black block performs that decision to go back, moving against the directionality of the walker. The shape moves slowly over the screen's surface evoking something of the intentional quality of redaction. We see this is a decision to reverse, to backtrack in time and erase. Its digital, even inorganic, movement lends the erasure a relentless and inevitable quality. The redaction looks like an irreversible avalanche of ink, and contrasts with the brittle feeling of the pen scratching the surface in *Walk (Strikethrough with pen)*.

These felt qualities of redaction are achieved in part through the overt digital construction of the artwork, by the layering of two images on top of each other like a palimpsest (Ingold 2021).

Each layer of film was created in a different time, but they are now placed together. This makes the walker look as if they have no idea what

is coming or perhaps that they had no idea that their actions would be redacted in the future. Continuing as planned, she is shown as unaware or perhaps untouched by the redaction block coming towards her and the erasure that follows. Ultimately the walker's progress continues but it is gradually redacted and, from now on, the documentation of her and her walk will no longer be seen or shared. The work invites us to imagine the walker still moving underneath the shape, to experience the felt sense of the movement of redaction, and it reminds us that what is redacted continues to exert affect in legal texts.

We are aware that in our responses to *Walk (redaction)*, we are trusting that the body of the walker, and our embodied response to it, somehow provides a different, perhaps deeper, access into what is going on with redaction than that achieved solely with words. Despite the auratic sense of authenticity conjured by the single static shot (Doane 2002), we are comfortable with film being deceptive. Film is understood to reverse, change speeds, and digitally alter what is recorded, but the body retains essentialist associations with a truthful reality. In the above artworks, the walking woman is a useful tool for enabling embodied speculation on what the impact of the redaction might be. But the above does not necessarily mean that we trust the body. In fact, we think the body is no less vulnerable than text to artifice, bias and forms of censorship and remain wary of the risks of slipping between working through the body and relying on the body as a pure, transparent data source.

The body, and the dancing body in particular, has often been degraded throughout history in Western culture as raw, illiterate, precognitive (Forsythe 2008: 5-7). The body has also, in more recent times, been venerated in other disciplines, including law, for these same alleged qualities that supposedly give access to real experiences. To trouble this essentialist assumption, *Singing in the rain (Fraudulent)* began as an attempt to create a fraudulent dancing body. As a way of further understanding Jacob's analysis of the categorizations of research misconduct (Jacob 2016), this artwork asks what questionable, careless or fraudulent dance might be.

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Singing in the rain (Fraudulent) is a single screen, single shot video where you see the dancer (Macdonald) performing part of the famous tap routine from *Singin' in the Rain* (Donen and Kelly 1952). Here, unlike in the previous work, the redaction is already in place. Most of the screen is redacted/blacked out so only Macdonald's upper body and head are visible through a narrow horizontal window.

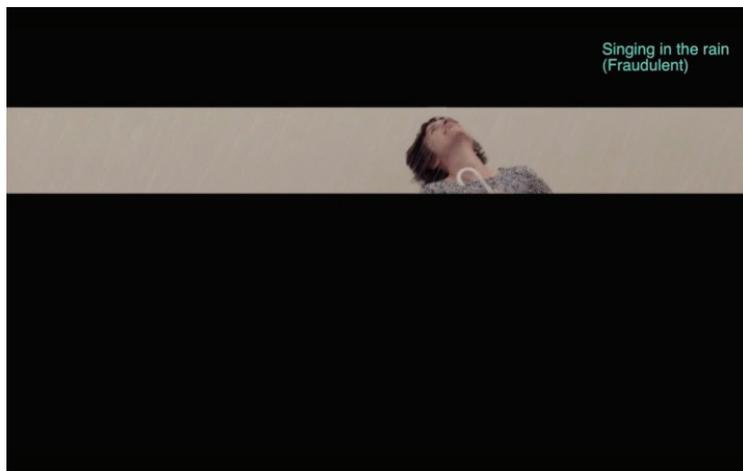


Figure 4 Singing in the rain (Fraudulent) 26s

Macdonald is trained in contemporary dance but not tap dance. Here, she makes a genuine attempt to perform something outside of her capacity, but her incompetency is concealed leaving only the more expert parts.

In this work we can appreciate both the protective and deceptive qualities of redaction. We know that Macdonald is not tap dancing (are we sure?) but, for us, the film makes you want to believe she is. The artist is not Gene Kelly, but there is a sense that she is trying her best rather than trying to deceive. Macdonald's work often involves trying her best to do impossible things, such as dancing like Gene Kelly. This practice sits within an interest in the poetics of failure (Bailes 2011;; Holdsworth 2017) within post-structural dance and contemporary performance,

which aims to trouble both claims to mastery within the highly trained performer body and claims to authenticity within untrained performers.

Perhaps we trust her more because we know she can't dance like Gene Kelly, even though the full evidence of this is concealed?

The film troubles the relationship between transparency and integrity. The fact that it is not transparent does not mean it is fraudulent, as the genuine effort of the dancer is evident. In turn, something transparent is not necessarily authentic and not fraudulent – the film is open about concealing something, but this does not negate the fact that something is being concealed. The caption/title describing the artwork as fraudulent stays on throughout the film, framing everything the dancer does, but the dance seems to move past this, resisting equivalences between legibility, transparency and integrity.

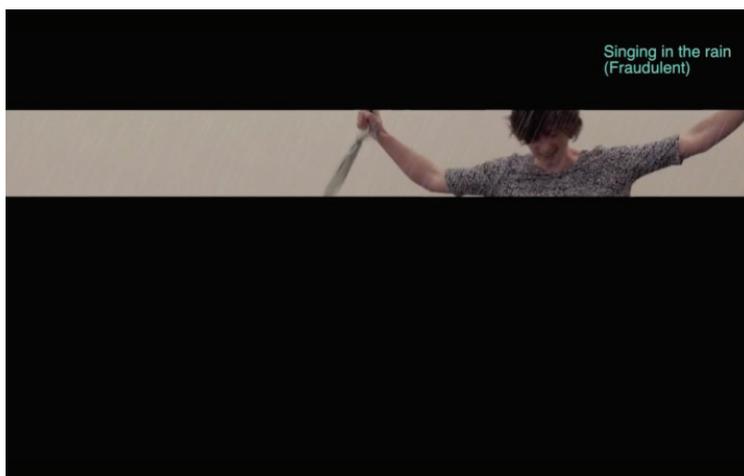


Figure 5 Singing in the rain (Fraudulent) 29s

Our method is stubborn in how it sticks to detailed physical elements of the artwork and of ideas, but it is also speculative and exploratory; in other words, it is deliberately in movement. We do not completely trust ourselves, and that lack of trust is where we get our sense of rigour.¹

3. Finding Out How Dance and Law Matter

The above examples might make it look like Jacob is interpreting the screendance practice, and that Macdonald's work represents legal ideas, but this is not the case as different knowledges sit in both. Our goal is not to speak for each other or produce a comprehensive collaborative understanding. Our mutual response to each other's work rather speaks to a distinct but aligned coupling of dance-as-research and legal ethnographic inquiry. In this process of coupling, we are keeping track of the slippages and things that get lost, altered or misunderstood.

Our collaboration offers something distinct to legal research and to dance research. It does not dance the law or represent the law through dance. Instead, it enacts, embodies and temporalizes the thing it looks at. In this writing, we have looked at this method in relation to the typology of research misconduct. In more recent work, we have brought our collaboration to areas such as consent, where our embodied approach has shifted attention from the question of *what* is consent to the question of *when* consent is: bringing time to the centre of how consent operates (Macdonald and Jacob 2025).

Looking back over ten years of work, we hope the above discussion has shown two key contributions of the dance and law intersection. First, it unsettles the binary of body vs text and its corollary assumption of the body as a site of trust. Second, it makes explicit the potential for dance, and screendance in particular, to reveal the temporality of documentary forms of law and offer an embodied way of understanding the affective dimensions of legal materials. In this sense, our contribution modulates the now accepted tenet that dance and law are always situated and dynamic constructs, and works to resist knowledge injustice by logging how the relationships that shape dance and law are intimately bound to time.

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Endnotes

- 1 See Amanda Ravetz and Helena Gregory's (2018) provocative discussion of rigour and practice-based research.